

**CITY OF MILWAUKIE
CITY COUNCIL WORK SESSION
NOVEMBER 4, 1997**

Mayor Lomnicki called the work session to order at 4:30 p.m. in the second floor conference room at Milwaukie City Hall.

Councilors present: Tomei, Schreiber, Kappa, and Trotter.

Staff present: City Manager Bartlett; Assistant City Manager Richards; and Community Development Director Collins.

Information Sharing

1. The group discussed the work session scheduled for Wednesday, November 5th to discuss light rail mitigation options for Scott Park.
2. **Councilmember Tomei** said Pat Allen, Oregon Economic Development Department, had provided her with additional information she requested at the work session. She distributed a *Willamette Week* article regarding Precision Castparts Corporation (PCC) wages.
3. **Mayor Lomnicki** said he was going to recommend one appointment to the Traffic Safety and Transportation Board.
4. **Councilmember Schreiber** said the Chamber of Commerce Land Use Committee supported the Enterprise Zone proposal.
5. **Mayor Lomnicki** discussed the Enterprise Zone public hearing with the final decision made at the November 18, 1997, meeting. This would give him time to resolve some of the issues over which he was concerned. The Clackamas County Board of County Commissioners will hear the issue before the City Council makes its decision. He discussed average state incomes and the “working poor” in the region.

Councilmember Tomei discussed the *Willamette Week* article regarding average PCC wages. **Councilmember Schreiber** felt the company probably provided stable work. **Councilmember Tomei** was concerned that engineers’ salaries were included in the average. The group discussed other Enterprise Zone requirements and Allen’s responsibility for working with all the groups to develop the application.

6. **Mayor Lomnicki** asked if the City had been contacted by ODOT regarding high speed rail funding, and **Bartlett** responded no additional correspondence had been received.

7. **Bartlett** discussed the Governor's proposal dedicating all gas taxes to maintenance resulting in the McLoughlin Blvd. project being off the list. The group discussed lobbying at the State Legislature to get some of the metropolitan projects back on the list.
8. **Councilmember Schreiber** discussed a survey on Metro Policy Advisory Committee (MPAC) regarding its advisory role to the Metro Council. The document was to be returned to Greg Chew at McKeever Morris.
9. The group discussed the executive session minutes. **Councilmember Trotter** understood the property adjacent to the school was sold and no longer on the market.
10. **Councilmember Tomei** asked for comments on the Cobb Property. **Bartlett** said Tashman was working with PDC the Portland Development Commission (PDC) on relocation assistance and developing a process. He discussed the discovery document.

Councilmember Tomei noted some of City Attorney Corrigan's service achievements including being a VISTA Volunteer.

Riverfront Implementation Phase 1

Bartlett outlined staff's proposal. Council set aside \$416,000 in the 1997 - 1998 budget for Phase 1 implementation in addition to land acquisition funds. Phase 1 will span approximately five years. The City would share in any future public/private partnerships. Staff recommended combining this year's and next fiscal year's funds for a total of \$916,000.

Bartlett reviewed the timelines. Staff proposed preparing an RFP that would go out for bid at the end of 1997. Construction would take place in 1998 and 1999. The City has possession of the Cobb property through court order and can now do the detailed design work on the final riverfront concept. He discussed planning for the Kellogg Treatment Plant area in order to more clearly conceptualize Phases 1 and 2. He discussed the future of the Plant and the probability that it would be moved. Swanson is in discussions with Oak Lodge Sanitary about diverting some of the Kellogg flow.

Councilmember Tomei understood it would be twenty years before the plant was taken off line and questioned spending the money on planning for that area at this time. **Bartlett** said the City could describe what it would like to see in that area so there would be a balance with the northern portion.

Mayor Lomnicki said planning now would provide a benchmark, and others can review its validity in the future.

Councilmember Trotter felt the RFP needed to be more clear. If he were a consultant, he would like to know if the concept plan was his guiding document. In addition, he suggested clarifying available resources and the direction to take, defining the minimum requirements, and more fully describing public participation.

Bartlett asked the City Council if it wished to have a citizen committee involved in the selection.

Mayor Lomnicki and **Councilmember Trotter** felt the City Council should select the consultant.

Councilmember Kappa agreed and suggested the Citizen Advisory Committee (CAC) be kept smaller and more manageable than the last group.

Councilmember Tomei was not sure she agreed with that point of view and recommended the group not be smaller.

The City Council discussed the makeup of the Riverfront Committee and the disappointment some of its members felt with the process. **Mayor Lomnicki** was concerned those selected to serve on the Committee would be willing to work together.

Councilmember Schreiber felt the process should be streamlined by collecting information and letting the CAC identify its needs. She recommended an open process at the front end to develop a full master plan. **Mayor Lomnicki** agreed with this suggestion.

Councilmember Kappa suggested an approach similar to the Board and Commission Review Project.

Councilmember Trotter said the consultant normally sets out the parameters and gets input. Later the consultant will present the plan based on the information that was gathered and refined. He felt it was important to clearly define the term “major portion of work” that was to be completed by June 30th.

Councilmember Kappa suggested each Councilor recommend several potential appointees to the advisory committee to work with the consultant.

Councilmember Trotter felt it was important to get total community input and commented that most firms are good at sorting and compiling information.

Mayor Lomnicki added that the project parameters have been set and the concept plan defined.

Councilmember Schreiber said the community has not addressed who the development is for – downtown visitors, Milwaukie residents, or boaters.

Councilmember Kappa suggested a series of at least three meetings. If the citizen committee has already been selected, members can go to hear what the community is saying. He suggested opening up the project to a design competition.

Councilmember Trotter said this scenario works better as a design/build competition for a commercial project. The riverfront will have limited commercial space making it unlikely for developers to invest their money.

Mayor Lomnicki suggested that it be a student project as part of an educational process. **Bartlett** felt that might be appropriate for the southern end of the project.

Councilmember Trotter recommended the RFP contain a construction schedule so the respondent would know better what was expected.

Councilmember Kappa discussed the McLoughlin Blvd. design and how the gateways might appear. **Bartlett** said the ODOT improvements may be delayed.

Councilmember Tomei said the public would need to know they are not being asked to re-do the map.

Councilmember Trotter recommended stating in the RFP that the public sessions would be run with expertise.

Councilmember Kappa felt there needed to be some idea of what would take place on McLoughlin Blvd.

Mayor Lomnicki said the Governor was looking at no new projects after 2002, so it is important to keep the McLoughlin Blvd. project in the pipeline.

Bartlett asked if the City Council was comfortable with the proposed timelines. He reviewed several points: the City Council supported a small advisory committee; the Council will select the consultant; and the group supported a town hall process.

The group discussed the process used by North Clackamas Parks and Recreation District when proposing a park master plan. The consultants presented several options and listened to the public about what it really wanted to see in their parks.

The group agreed that the chairs of the Park and Recreation Board and Planning Commission should be included as members of the selection committee along with the City Council.

Bartlett said he would refine this information and return the document to the City Council before the project is let for bids.

Collins said there was a small group of people from the Riverfront Committee who expressed interest in continuing.

Councilmember Tomei suggested these people could attend the town hall meetings with the consultant and later discuss what was heard.

Councilmember Trotter recommended they be able to make comments on the riverfront in a public forum to set the stage for discussions.

Councilmember Schreiber suggested the people participate in a panel discussion on the historical foundation of the plan.

The group agreed to make the RFP available on a broad level and open up the competition nationally. **Councilmember Trotter** said this would make it very important to give a lot of supporting information about the area.

Bartlett summarized:

- Timelines are acceptable.
- City Council and the chairs of the Park and Recreation Board and Planning Commission will act as the consultant selection committee.
- The consultant will follow the Parks District model – public involvement, large town hall, some design work, follow-up, and completion.

Mayor Lomnicki asked if there would be public involvement period between accepting the plan and going through the formal Planning Commission process. He felt the process needed to go full-circle to offer the public another opportunity to comment. **Councilmember Schreiber** said the consultant will set the benchmarks. **Councilmember Trotter** said that would be the second follow up with first run through of options.

Bartlett said when the design plan is accepted by the City Council, then it will go through the CSO and neighborhood process. **Councilmember Trotter** commented that the 120-day clock would have to be kept in mind when scheduling the timelines.

Bartlett said he would prepare a revised draft with clarified design parameters.

The group discussed connection between the downtown and the riverfront. It was agreed that Bartlett would use some of the materials from the McLoughlin Blvd. improvements work session as supporting documentation.

Bartlett wanted some Phase 1 concepts for the boat ramp parking area and the Cafall Bros. site as they transition into Phase 2.

Councilmember Trotter recommended the document refer to a master plan rather than a concept plan.

Councilmember Tomei asked if there would be any plans for the Kellogg Lake area. **Bartlett** said the Parks District ran a preliminary design meeting for that area. **Richards** added that the concept plan is done and believed it was on next year's work plan.

Bartlett discussed the phasing. In order to hold faith with the process, the City needs to make participation available to all.

Regional Center Phase 1

Collins presented the staff report and discussed the "Summary of Regional Center Master Plan" testimony.

Councilmember Trotter said he did not feel it was appropriate to discuss Planning Commission testimony. He recommended returning the testimony and directing it be submitted in accordance with the staff report recommendation to accept, modify, or continue. Any comment could be construed as giving direction to the Planning Commission.

Mayor Lomnicki said he was not prepared to make comment on the Planning Commission testimony.

Collins explained she did not expect comment and summarized the testimony.

The City Council agreed to proceed with the public hearing on Tuesday, November 18, 1997.

Bartlett said the hearing would be noticed in the paper ten days prior to the hearing. This is a legislative matter and is under no 120 day restrictions.

Mayor Lomnicki said the City Council would hold its public hearing on November 18th with the decision to follow.

Councilmember Trotter did not feel the document should not include his name. It is a public document that will be part of the record as public input. Graham will make it part of the Steering Committee recommendation at the City Council hearing.

Bartlett said Councilors act as the final legislative body and can make amendments during discussion.

Mayor Lomnicki said the City Council hearing will be de novo, and Graham can take any concerns forward as new evidence.

Bartlett said the Planning Commission would not be able to consider it. Since it is a legislative action, there are no concerns with ex parte contacts.

Mayor Lomnicki had no significant concerns with the document and did not feel the process had been flawed. The City Council Public Hearing is de novo at which time new comments can be brought forward.

Collins said staff would recommend the Steering Committee recommendations be incorporated.

Councilmember Trotter asked that any substantial changes be annotated in the staff report.

Collins said there were only minor comments from other Committee members.

Councilors commented there were only a few copies of the Summary available at the Planning Commission meeting. **Mayor Lomnicki** said the material would be in the Council's November 18th packet. **Councilmember Trotter** pointed out copies of public testimony do not have to be available ahead of time.

Beery said the distinction between quasi-judicial and legislative hearings is that there is no opportunity to rebut testimony. The City record will contain all documents for the record of decision.

The work session adjourned at 7:42 p.m.

Pat DuVal, City Recorder